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| or<br>Individual Name Cara I                                    | M. Coburn (Registration No. 4       | 46,631)  |                   |   |              |
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Martina Placid

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

H. Ralph SNODGRASS

Serial No.: 0

09/864,621

Filing Date:

May 23, 2001

For:

TOXICITY TYPING USING

**EMBRYOID BODIES** 

Examiner: To Be Assigned

Group Art Unit: 1633

# INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 AND § 1.98

Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of documents numbered 57-77 and a copy of the English abstract of German patent application no. 19606207 (reference no. 14) are submitted herewith. However, documents numbered 1-56 were previously submitted in Information Disclosure Statements directed to the related application Serial Number 09/457,931, filed December 8, 1999, and, accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R. §1.98(d) and M.P.E.P. 609(A)(2). The

Examiner is requested to make these documents of record in the application.

Applicant brings the Examiner's attention to the fact that an English abstract of German patent application no. 19606207 (reference no. 14 in the Form 1449) is submitted herewith.

This Information Disclosure Statement is submitted:

|             | With the application; accordingly, no fee or separate requirements are required.              |
|-------------|---|
| $\boxtimes$ | Within three months of the application filing date or before mailing of a first Office Action |
|             | on the merits; accordingly, no fee or separate requirements are believed to be required.      |
|             | After receipt of a first Office Action on the merits but before mailing of a final Office     |
|             | Action or Notice of Allowance.  |
|             | A fee is required. A check in the amount of * is enclosed.                                    |
|             | A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached                |
|             | to this submission in duplicate.  |
|             | A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee              |
|             | is believed to be due.  |
|             | After mailing of a final Office Action or Notice of Allowance, but before payment of the      |
|             | issue fee. Accordingly, a Petition requesting consideration of the Information Disclosure     |
|             | Statement, an authorization to charge our deposit account, and a Certification under 37       |
|             | C.F.R. § 1.97(e) are provided herein.   |

Applicant would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is to the best of my knowledge and is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination

of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing <u>441472000110</u>. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: September <u>w</u>, 2001

Respectfully submitted,

Cara M. Coburn

Registration No. 46,631

Morrison & Foerster LLP 755 Page Mill Road

Palo Alto, California 94304-1018

Telephone: (650) 813-4218 Facsimile: (650) 494-0792

-Sheet 1 of 5

## Docket Number 441472000110 Form PTO-1449 Applicant INFORMATION DISCLOSURE CITATION IN AN APPLICATION

Application Number 09/864 621 H. Ralph SNODGRASS Group Art Unit 1633 Filing Date May 23, 2001 Mailing Date September 20, 2001

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(including author, title, Date, Pertinent Pages, Etc.)

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